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The situation in Afghanistan

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The situation in Afghanistan and its implications for international peace and security

Report of the Secretary-General

Summary

The present report provides an update on developments in Afghanistan since the previous report of the Secretary-General, of 6 March 2008 (A/62/722-S/2008/159). The situation has become more challenging since March. The Secretary-General draws attention to the increase in attacks by anti-Government elements and their use of asymmetric tactics. Preparations for the voter registration process have progressed, as have counter-narcotics efforts, with a decrease being noted in opium cultivation and production. Particular attention is devoted to the increase in the number of civilian casualties, which are caused mainly by anti-Government activities but are also the unintended consequence of operations by pro-Government forces. The Secretary-General's assessment is that the humanitarian situation is worsening, and he emphasizes the seriousness of food insecurity in Afghanistan. Further, he describes reforms of the decision-making process of the Joint Coordination and Monitoring Board and developments in the field of gender, governance and mine action. The operations of the United Nations Assistance Mission in Afghanistan are described and observations set out regarding priorities for the Government of Afghanistan, the international community and the Mission over the coming months.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 62/6 and Security Council resolution 1806 (2008), by which the Council decided to extend the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA) until 23 March 2009. The report reviews the situation in Afghanistan and the activities of UNAMA since my previous report on the situation in that country and its implications for international peace and security, dated 6 March 2008 (A/62/722-S/2008/159), and my special report, dated 3 July 2008 (S/2008/434). The Council also received oral briefings on the situation in Afghanistan on 12 March 2008, on the outcome of the Paris Conference in Support of Afghanistan on 10 July 2008 and on the civilian casualties in Shindand on 26 August 2008.

II. Overview

2. The overall situation in Afghanistan has become more challenging since my previous report. Despite the enhanced capabilities of both the Afghan National Army and the international forces, the security situation has deteriorated markedly. The influence of the insurgency has expanded beyond traditionally volatile areas and has increased in provinces neighbouring Kabul. Incidents stemming from cross-border activities from Pakistan have increased significantly in terms of numbers and sophistication. The insurgency's dependence on asymmetric tactics has also led to a sharp rise in the number of civilian casualties. Civilians are also being killed as a result of military operations carried out by Afghan and international security forces, in particular in situations in which insurgents conceal themselves in populated areas. Another worrying development is the fact that attacks on aid-related targets and non-governmental organizations have become more frequent and more deadly.

3. The humanitarian situation has also deteriorated, in part owing to the ongoing conflict and in part as a result of a coincidence of crises. The most pressing humanitarian problem is that drought and high global food prices have created food shortages affecting one sixth of the country's population. The situation calls for urgent action with both a short-term and a longer-term perspective.

4. Nonetheless, there have been positive developments during the period under review. As described in greater detail in my special report (S/2008/434), the Paris Conference in Support of Afghanistan, which was held on 12 June 2008, launched the Afghanistan National Development Strategy. That document, together with the Paris Declaration, established a road map for future efforts by the Government of Afghanistan and the international community to provide for the security and prosperity of the Afghan people. Participants in the Conference underscored their commitment to the road map by pledging $21.4 billion for the development of Afghanistan. Implementation of the Development Strategy and the Paris Declaration has begun. If the funds pledged are to have the impact required, massive institution-building efforts will be necessary, along with determination to improve the quality of governance. On the side of the international community, greater coordination and coherence of assistance programmes remain indispensable.

5. Another positive development was the increase in the number of poppy-free provinces from 13 to 18, as reported by the United Nations Office on Drugs and Crime in its latest survey of opium production. The Office also reported that the

overall area of poppy cultivation had decreased by 19 per cent, which had translated into a reduction in production volume of 6 per cent (unfortunately, greater yields decreased the effect of the reduction in cultivation area). Most cultivation is now concentrated in a few provinces, of which Helmand is the most significant. Eradication was modest compared with the targets set for 2008, and the cost of eradication in terms of loss of life was high. Revenues from the illegal opium economy continue to finance the insurgency.

6. Given that the situation has clearly become more challenging during the past few months, I would like to underline the consensus reached at the Paris Conference: decisive action must be taken to address serious weaknesses in governance and to align international assistance behind the Afghanistan National Development Strategy. We are at a critical juncture in our efforts in Afghanistan. A "political surge" is required to reverse negative trends and accelerate progress in those areas where we have achieved successes. UNAMA and my Special Representative for Afghanistan, Kai Eide, are ready to play their role in mobilizing efforts in support of the agenda established in Paris. This will be possible only if both the Government of Afghanistan and the international community are prepared to make difficult policy decisions and remain committed to implementing them.

III. Key political developments

A. National Assembly, political parties and elections

7. During the reporting period, the National Assembly implemented a fairly heavy legislative agenda, adopting laws on the civil service, public health and political parties. The national budget was also adopted prior to 21 March 2008, which is the start of the Government's fiscal year. Laws on the media and on the Commission for the Implementation of the Constitution were adopted by the National Assembly by a two-thirds majority, following presidential vetoes.

8. On the other hand, continuing disagreement within the National Assembly over the number of seats allocated to Kuchis (nomads) in the Wolesi Jirga (lower house) led to a stand-off when Kuchi parliamentarians refused to attend parliamentary sessions for several weeks. The Wolesi Jirga was thus denied a quorum and was unable to adopt the electoral law. Given a provision in existing legislation that no new electoral law can be passed within a year of a forthcoming election, the 2009 presidential and provincial council elections will be held under the existing electoral law, adopted in 2005.

9. On a more positive note, after extensive discussions, the Wolesi Jirga passed draft legislation on the Independent Election Commission, amending the previous law on electoral organization. Key changes include a provision that election commissioners will be nominated by the President and confirmed by the Wolesi Jirga. The draft law now must be passed by the Meshrano Jirga, the upper house of the National Assembly, and signed by the President if it is to become law.

10. The Cabinet approved the proposal of the Independent Election Commission to run voter registration in four phases between 6 October 2008 and 3 February 2009. The Afghan National Police will have the primary responsibility for security, supported by the Afghan National Army and the International Security Assistance

Force (ISAF). Both voter registration and the elections will be prepared and organized by the Commission with support from the international community. Following a request by the President of Afghanistan, Hâmid Karzai, the United Nations will coordinate international efforts as well as provide technical assistance through the United Nations Development Programme (UNDP) project entitled "Enhancing Legal and Electoral Capacity for Tomorrow (ELECT)". Donors have already provided generous contributions to UNDP for voter registration. An additional appeal for the election will be made to donors early in November 2008, once the budget has been finalized.

11. In anticipation of the forthcoming elections, political parties have intensified their activities. Major congresses were held in Kabul and Jalalabad by Afghan-i Millat, Hezb-i Islami, Junbesh-i Milli and several smaller parties. The National United Front, a coalition of 18 parties, has begun to develop a policy platform and identify a presidential candidate. More than 110 political parties have been registered.

B. Regional environment

12. The important role that the neighbours and regional partners of Afghanistan can play in promoting the country's development and stability has been increasingly and rightly emphasized. The opportunities afforded by trade and transit, energy market integration and road and rail infrastructure dominate bilateral and multilateral agendas, along with cooperation to combat terrorism and the illegal narcotics trade. To that end, President Karzai attended the summit of the South Asian Association for Regional Cooperation (SAARC), held in Colombo, on 2 and 3 August, and the summit of the Shanghai Cooperation Organization, held in Dushanbe, on 27 and 28 August.

13. One of the most important results of regional cooperation efforts is the agreement by Afghanistan, India, Pakistan and Turkmenistan to begin construction of a trans-Afghan gas pipeline in 2010. In addition, the Islamic Republic of Iran concluded memorandums of understanding with Afghanistan on bilateral trade, and agreed to construct a teacher-training centre in Kabul. At a recent meeting of the Tripartite Commission, comprising Afghanistan, Pakistan and the Office of the United Nations High Commissioner for Refugees (UNHCR), Pakistan agreed to review the timetable for repatriation beyond 2009 and to ensure voluntary, dignified, safe and gradual returns. Finally, in May 2008, Afghanistan, the Islamic Republic of Iran and Pakistan agreed in Tehran on a "triangular" initiative to cooperate more closely in counter-narcotics efforts, including through the establishment of a joint planning cell, to be located in Tehran, which will facilitate information exchange and joint counter-narcotics interventions. The United Nations Office on Drugs and Crime was invited to function as the secretariat for the initiative.

14. Relations between Afghanistan and Pakistan have been dominated by discussions on the increase in cross-border insurgency activities, an issue that had in the past appeared to be fuelling a climate of suspicion and recrimination, with each Government blaming the other on different occasions for insufficient efforts against terrorism and for interfering in each other's domestic affairs. On 9 July, the Ministers for Foreign Affairs of Afghanistan and Pakistan were present at a meeting of the Security Council on the situation in Afghanistan. Both Ministers emphasized

the close connections between the two countries and the need for greater cooperation to leverage economic opportunities and combat insecurity. On 2 August, in the margins of the SAARC summit in Colombo, President Karzai and the Prime Minister of Pakistan, Syed Yousaf Raza Gillani, agreed to resume a number of bilateral activities, including planning for the next peace jirga. The Minister for Foreign Affairs of Pakistan, Makhdoom Shah Mehmood Qureshi, and Chief of the Army Staff, Ashfaq Parvez Kayani, also visited Afghanistan for discussions on bilateral cooperation and security challenges. On 9 September, President Karzai attended the swearing-in ceremony of the President of Pakistan, Asif Ali Zardari, in Islamabad and expressed optimism about relations between the two countries.

15. During his visits to Islamabad and Tehran, my Special Representative discussed questions relating to bilateral and regional cooperation, in particular counter-narcotics and refugee issues. He emphasized the central role that both countries have to play in achieving stability in Afghanistan and the region and the potential for regional economic development. The Special Representative offered to provide assistance in accordance with his mandate. In Islamabad, he underlined the need to strengthen the political dialogue between the two countries and to follow up on the peace jirga which was held in Kabul in August 2007.

IV. Security

16. Since the issuance of my special report (S/2008/434), the security situation has deteriorated markedly. The number of security incidents rose to 983 in August, which is the highest since the fall of the Taliban in 2001 and represents a 44 per cent increase compared with the same month in 2007. While armed clashes between Afghan and international security forces on the one hand, and insurgents on the other, have continued to increase in number and intensity, asymmetric attacks carried out by the insurgents have increased even more.

17. Three trends can be identified in the context of this deterioration: a greater focus by insurgent groups on hitherto stable areas; more sophisticated planning of operations by insurgents, in particular asymmetric attacks; and an increase in civilian casualties.

18. While the main focus of the insurgency remains the southern and eastern parts of the country, where it has historically been strong, insurgent influence has intensified in areas that were previously relatively calm, including in the provinces closest to Kabul. The determination of the insurgency has also been demonstrated by two particularly brazen attacks against ISAF. The first was a direct attack against an ISAF outpost of the United States of America in Nuristan in July, and the second an ambush on French ISAF forces in Kabul province in August. Attacks were also carried out in the capital itself, including during a military parade on 27 April in the presence of President Karzai, his Cabinet and the National Assembly, and a suicide attack against the Embassy of India in July in which 54 civilians were killed. The fact that the insurgents have the ability to carry out operations in the capital shows that they are becoming increasingly sophisticated. However, while the insurgents were able to carry out a few major attacks, the overall number of security incidents in the capital decreased, reflecting the enhanced capability of the Afghan intelligence and security forces.

19. The trend in insurgency tactics observed in 2007 — from armed clashes with security forces to attacks of an asymmetric nature — continued and became more pronounced in 2008, leading to a sharp increase in the number of civilian casualties. Of the more than 3,800 lives lost in insurgency-related violence by the end of July, over one third were civilians. To a large extent, that shift can be attributed to a limited number of lethal attacks in high-density civilian areas, such as the attack against the Embassy of India. The number of civilian casualties caused by operations carried out by international and Afghan security forces also increased.

20. Another worrying trend is a significant increase in the number of attacks against aid workers, convoys and facilities. More than 120 attacks have been targeted at humanitarian and development programmes in 2008, as a result of which 30 humanitarian aid workers have died and 92 have been abducted. Those attacks included the ambush, on 13 August, by suspected Hezb-i Islami/Haqqani militants of an International Rescue Committee vehicle in Logar province, 50 km south of Kabul, in which three female international aid workers and their Afghan driver were shot and killed. On 26 August, a Japanese aid worker was abducted and subsequently murdered in Nangarhar Province. At least 22 contracted World Food Programme convoys were attacked, destroyed or looted. Attacks against schools have also continued. Between January and August 2008, 113 such incidents were reported, including the burning of 47 schools and attacks against 12 others, resulting in the deaths of 12 people and injuries to 8.

21. On 14 September, a United Nations convoy of medical staff conducting polio vaccination activities was attacked by a vehicle-borne suicide device in the Spin Boldak district of Kandahar. Two doctors contracted by the World Health Organization and one UNAMA driver were killed. The Taliban claimed responsibility for the attack.

22. The deteriorating security situation has hampered the implementation by UNAMA of its mandate. The United Nations Department of Safety and Security has assessed approximately 90 of almost 400 districts as areas of extreme risk. According to figures from the Government of Afghanistan, 12 districts are completely beyond its control. Difficulty of access is compounded by the insurgency's aggressive tactics to cut off major provincial centres. Consequently, even areas that have a permissible security environment are increasingly inaccessible to the United Nations, the Government and non-military actors.

V. Security sector and rule of law

A. Afghan security forces

23. The Afghan National Army has continued to improve and has now reached a strength of more than 62,000. Following a request by the Minister of Defence of Afghanistan, the Joint Coordination and Monitoring Board, at its ninth meeting, on 9 September, agreed to raise the recruitment ceiling from 88,000 to 122,000 by 2012, reflecting the readiness of the Government of Afghanistan to gradually take greater responsibility for the security of the country. Another important step in that direction was taken on 30 August, when national security forces led by the Afghan National Army assumed the lead responsibility for security in Kabul.

24. The reform and rebuilding of the Afghan National Police has, on the other hand, been slower and less successful. Some 70 per cent of the 82,000-strong force is estimated to be present for duty. Focused district development and in-district reform programmes, led by the United States of America, are being implemented to improve the quality of training and leadership in 42 districts, particularly in the insurgency-affected south.

25. Serious shortcomings remain, however, with regard to training and equipping the police. Since the Afghan National Police is the only security force that maintains a durable presence in communities across Afghanistan, its shortcomings have serious effects. A weak, ineffective or distrusted police force becomes an obstacle to implementing an effective counter-insurgency effort, combating crime and ensuring respect for rule of law, securing a stable Government presence in unstable provinces and keeping vital highways safe and accessible. Border police are almost non-existent along significant parts of the country's border and are unable to prevent large-scale smuggling and drug trafficking. Insufficient numbers of police officers and lack of training and equipment have contributed to a very high casualty rate among the members of the Afghan National Police. As many as 720 police officers have been killed since March. Finally, corruption remains a problem. There are credible reports of police positions, particularly in lucrative transit and drug-trafficking corridors, being "sold" for large amounts of money.

26. Given the critical importance of the police force, a comprehensive initiative is required to strengthen and expand its ability to carry out critical tasks. On 31 August, the International Police Coordination Board adopted a vision for the Afghan National Police, in accordance with the decisions taken at the seventh Joint Coordination and Monitoring Board meeting. Implementing that vision will require coherence among current reform efforts. It will also require additional resources, in particular, trainers and mentors provided by the international community who are able to deploy at the district level, as well as sufficient equipment for the police force.

B. International forces and civil-military coordination

27. ISAF, which now numbers 55,000 troops, has increased its presence in eastern and southern Afghanistan, as well as in Kapisa, Logar and Wardak provinces, around Kabul. The ISAF Commander, General David McKiernan, has assumed responsibility for non-ISAF forces of the United States of America in Afghanistan, improving unity of command. ISAF has initiated a review of the provincial reconstruction team concept, with the goal of preparing a transition to civilian and Afghan leadership as soon as possible. Coordination of provincial reconstruction team policies will henceforth be led by the Independent Directorate for Local Governance, created by President Karzai in 2007 to generate stronger governance in unstable provinces and districts.

C. Rule of law

28. During the period under review, there have been incremental improvements in the field of justice, which remains one of the most essential yet challenging sectors of activity. Following the establishment of the National Justice Sector Strategy and

the National Justice Programme in March 2008, the three justice institutions (the Ministry of Justice, the Supreme Court and the Office of the Attorney General) have established a programme oversight committee with World Bank assistance.

29. In addition, the Office of the Attorney General and the Ministry of the Interior established a joint commission to draft guidelines for cooperation between police and prosecutors in the detection and investigation of crimes. At the end of July, the first General Assembly of the Independent Afghan Bar Association met in Kabul to decide on its constitution and elect officials. The number of registered lawyers in Afghanistan tripled from 200 in 2007 to almost 600 in 2008, 130 of them being women. With support from UNDP, UNAMA has now deployed rule-of-law officers in each of its regional offices to lead the effort to coordinate international support for the justice sector.

30. In the area of legal reform, the Government enacted laws on terrorism, abduction and human trafficking and on the creation of the High Office of Oversight to combat corruption. Regarding procedural due process, the legislative department of the Ministry of Justice has completed the draft of a new comprehensive criminal procedure code that is being reviewed by a joint group of experts from Afghanistan and the international community.

31. Further progress is hampered by the fact that the Supreme Court, the Office of the Attorney General, and the Ministry of Justice suffer from a chronic lack of resources, inadequate infrastructure and a shortage of qualified, experienced, educated and trained judges and prosecutors. While training has improved, the implementation of pay and grade reforms has been slow, and it remains difficult to recruit and retain competent officers. Corruption and intimidation by officials remain common. Effective disciplinary and ethical oversight mechanisms providing due process are lacking, as is systematic case auditing and tracking.

32. Detention centres and prisons in Afghanistan remain in a serious state of neglect. Juvenile facilities are too few in number and range from rented houses to facilities where juveniles are mixed with adult convicts. In July and August there were three separate incidents of hostage-taking in the Pol-i-Charkhi prison in Kabul. As a result of inadequate capacity in the prison system, the Afghan National Army has had to assume some responsibility for prison security. There is a critical need for increased investment in the Central Prison Department to address continuing problems in the corrections system, ranging from poor food and sanitation to crisis-management training.

D. Mine action

33. In the first half of 2008, the United Nations-managed Mine Action Centre for Afghanistan, with Government support, destroyed 38,297 anti-personnel landmines, 419 anti-tank mines and 957,362 explosive remnants of war and provided mine-awareness education for 760,434 people — men, women and children. More than 80 per cent of the mine-action requirements set out in the Afghanistan Compact have been reached. However, the programme faces significant funding shortfalls for 2009. If those shortfalls are not addressed, they will result in a substantial reduction of operational outputs. As a result, Afghanistan will risk being unable to meet its obligations under the terms of the Convention on the Prohibition of the Use,

Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, the Afghanistan Compact and the Millennium Development Goals.

E. Counter-narcotics

34. The United Nations Office on Drugs and Crime released the *Afghanistan opium survey 2008* on 27 August. As noted in paragraph 5 above, the Office reported that there had been a 19 per cent decrease in opium cultivation and a 6 per cent decline in production. The increase in the number of poppy-free provinces in the past year means that more than half of the country's 34 provinces are now poppy-free. Thus, poppy production is no longer an Afghanistan-wide phenomenon but, rather, concentrated in areas where insurgent and organized crime groups are particularly active. At present, 98 per cent of the country's opium is grown in seven southern and south-western provinces: Farah, Helmand, Kandahar, Nimroz, Uruzgan and (to a lesser extent) Day Kundi and Zabul. Against those achievements, the United Nations Office on Drugs and Crime reported that crop yields actually increased in 2008 and that only 5,480 of the 50,000 hectare eradication target was reached. Achieving that result also proved costly in terms of human life: 77 members of the eradication force were killed, a six-fold increase in casualties compared with the previous year.

35. The decrease in cultivation is attributed to a combination of improved governance and poor climatic conditions, including cold and drought. Active public awareness campaigns also played an important role. If progress to increase the number of poppy-free provinces is to be consolidated, public awareness campaigns will need to be coupled with agricultural and alternative development programmes and narcotics interdiction and anti-corruption activities.

36. Implementation of the National Drug Control Strategy, a priority set at the seventh meeting of the Joint Coordination and Monitoring Board, held in February 2008, remains slow. A provincial approach has been agreed upon and provincial counter-narcotics plans are being prepared. Unfortunately, agreement has yet to be reached on a funding mechanism for those provincial plans. To date, the Counter-Narcotics Trust Fund has approved more than 60 projects to support the implementation of the National Drug Control Strategy as well as the Good Performance Initiative, a separate financing window under the Trust Fund, for a total amount of $61 million. Following a review in 2007 and extensive consultations, the Government prepared a proposal on the reform and restructuring of the Trust Fund that was endorsed by the Cabinet subcommittee on counter narcotics. The Trust Fund was reactivated in June and has approved more than $20 million in support of development projects in 14 provinces. However, agreement on the longer-term restructuring of the Trust Fund remains deadlocked. The fight against illegal narcotics is further frustrated by the fact that senior Government officials who are sincere about addressing the problem are increasingly being intimidated, while corrupt officials and drug traffickers continue to operate with impunity. In a particularly disturbing incident, on 4 September, the head of the appeals court of the Central Narcotics Tribunal was shot and killed on his way to work in Kabul.

37. International players in Afghanistan, both civil and military, have recently expressed renewed interest in countering the flow of chemical precursors to illicit

heroin manufacturing within the country. On 11 June 2008, the Security Council adopted resolution 1817 (2008), calling on Member States to increase cooperation in monitoring the international trade in chemical precursors in order to prevent their diversion to illicit markets. Coordination efforts between the United Nations Office on Drugs and Crime and key regional and international players who oppose precursor trafficking groups have improved substantially. The national authorities in Pakistan and the Islamic Republic of Iran, among other neighbouring countries, made very significant seizures of acetic anhydride, the first such seizures since 2001. Activities within Afghanistan have led to an increase in available strategic intelligence, and a regional effort, facilitated by the United Nations Office on Drugs and Crime, to map opiates and precursor chemicals through forensic investigations has been initiated.

38. The International Narcotics Control Board plays a leading role in the international control of precursors. The Board has provided training to Afghan authorities and recommended specific measures to the Government for precursor control. This year, the Board launched an initiative entitled "Project Cohesion" to exchange intelligence on the diversion of heroin precursors and monitor the movement of chemicals and enforcement operations. As a result of intensified international interdiction activities and improved information exchange on shipments and seizures of heroin chemicals, the number of identified diversions to Afghanistan has increased. Moreover, after a period of several years during which a very limited number of seizures of acetic anhydride were carried out, more than 20 cases involving seizure or suspicious shipment in international trade were recently identified. Several hundred tons of acetic anhydride have thus been prevented from reaching Afghanistan.

39. It is essential for Governments to intensify their participation in activities led by the International Narcotics Control Board and the United Nations Office on Drugs and Crime to prevent the diversion and trafficking of precursors from exporting countries to Afghanistan and neighbouring countries. Support for the Afghan Government in developing the interdiction and investigation capacities of anti-narcotics enforcement agencies and forensic laboratories must also continue.

VI. Governance

40. The need to improve governance was a major focus of the Paris Conference. Some progress in that area has been made. The adoption of an anti-corruption law, the establishment of the High Office of Oversight to combat corruption and the plan to start implementing pay and grading reforms in five ministries in September 2008 are all indications that the Government of Afghanistan is serious about meeting its Paris commitments.

41. Further such signs include the release, by the inter-institutional commission led by Chief Justice Azimi, of an anti-corruption strategy report at the end of June 2008. Those initial steps must be followed by the establishment of effective anti-corruption tools, as well as a visible and consistent political commitment to fight corruption.

42. Following the Cabinet's endorsement of the five-year strategic plan of the Independent Directorate for Local Governance, the Government has begun to clarify

the functions of local government and to improve the effectiveness of subnational government.

43. With a view to strengthening the capacity of Afghan officials, the Civil Service Training Institute began training recent university graduates and providing refresher courses to existing civil servants. The UNDP-supported Civil Service Leadership Development project is supporting the Institute in delivering leadership training programmes to civil servants across the various line ministries and assisting it in adapting the project training programmes to its needs, thereby guaranteeing the sustainability of the leadership training programmes.

44. The Independent Directorate for Local Governance has signed agreements with India and the Islamic Republic of Iran to expand public service training, which is required if the needs of Afghanistan are to be met. The Government also established a National Institute of Management and Administration, which draws students from all provinces to educate future managers and administrators.

45. Despite those positive developments, the key challenge for the central Government will be to create capacity at the subnational level, where the lack of resources, as well as corruption, continues to have a crippling effect.

VII. Human rights

46. Afghanistan continues to face serious deficiencies in the area of human rights as a result of, inter alia, the impact of an escalating conflict on civilians, a pervasive atmosphere of impunity, absence of official impetus for the transitional justice process, a weak judicial system and threats to the media from both State and non-State actors. Many of those deficiencies also contribute to very high levels of poverty in Afghanistan, affecting 42 per cent of the population.

47. The atmosphere of impunity perpetuates the notion that crime and the abuse of power is acceptable. That undermines efforts to uphold the rule of law, including redress for victims of human rights violations as well as access to judicial processes that are just and credible.

48. In spite of repeated calls by Afghans, including victims' groups, for the implementation of the Action Plan on Peace, Reconciliation and Justice there is very limited political support for it. Civil society organizations are increasingly concerned about this issue, and welcomed the initiatives by UNAMA and the Afghanistan Independent Human Rights Commission to raise awareness of reconciliation issues.

49. In this regard, measures have been taken to strengthen national forensic expertise in the investigation and preservation of mass grave sites. The United Nations has provided technical expertise to, for example, the ad hoc forensic exercise to identify the remains of the former President, Daud Khan, who was killed in 1978 with his family and some of his staff. This is an emblematic case in the endeavour to establish and document evidence critical to ascertaining the truth about the past.

50. Extrajudicial measures continue to be used to suppress criticism and dissenting religious and political views. Reports of intimidation against journalists have increased, casting doubts on the Government's commitment to freedom of

expression. The high-profile case against a student of journalism sentenced to death on charges of blasphemy in January 2008 after he circulated literature on women and Islam obtained from the Internet has exposed severe systemic failings in the functioning of the criminal justice system. The alleged crime is not a criminal offence under Afghan law, yet the student remains in detention. The case has now reached the appeals court.

A. Gender

51. The National Action Plan for the Women of Afghanistan was adopted by the Cabinet on 19 May 2008. The Paris Declaration reaffirmed the commitments of both the Government and the international community to support its implementation. UNAMA, UNDP and the United Nations Development Fund for Women are providing support to improve the capacity of the Ministry of Women's Affairs for the effective coordination of Action Plan implementation at all levels of governance. The UNDP Gender Equality Project is currently active in seven ministries with the aim of developing their capacities in the area of gender integration.

52. Sexual and gender-based violence against women and children is common. In the system of administration of justice, the criminalization of women who have been victims of gender-based violence and gender discrimination in the application of customary law continues to be a major concern. In a case raised publicly by my Special Representative, two convicted perpetrators of a gang rape in Sar-i-Pul in September 2005 were released in May 2008, allegedly as a result of corruption in the justice system. Nonetheless, the high incidence of sexual assault was denounced by the President and the Ministry of the Interior in August 2008, and initiatives by relevant United Nations agencies and programmes with the corresponding ministries and civil society groups have increased the visibility of serious violations of women's rights.

B. Protection of civilians

53. In the first eight months of 2008, UNAMA recorded a total of 1,445 civilian deaths, an increase of 39 per cent over the 1,040 civilian deaths recorded in the same period in 2007. Of those, 55 per cent were attributed to attacks by anti-Government elements, 40 per cent to pro-Government forces and 5 per cent to unknown agents.

54. The majority of civilian casualties attributed to anti-Government elements are the result of suicide and improvised explosive device attacks, with a reported 551 civilians having been killed in such incidents in the first eight months of 2008. The increase in fatalities as a result of operations by anti-Government elements can be attributed, in part, to the greater resort to asymmetric attacks, which are often carried out in crowded civilian areas. Insurgents continue to wage a systematic campaign of intimidation and violence against Afghan civilians who are perceived to be supporting the Government, the international community and military forces. UNAMA has recorded 142 summary executions carried out by the armed opposition in 2008 and dozens of cases of threats, intimidation and harassment. The victims include doctors, teachers, students, tribal elders, civilian Government employees,

former police and military personnel and labourers involved in public-interest construction work.

55. Air strikes remain responsible for the largest percentage of civilian deaths attributed to pro-Government forces. UNAMA recorded 393 civilian deaths as a result of air strikes in the first eight months of 2008. The most notable example took place in Shindand district on 22 August, where, according to United Nations and other reports, an air strike killed more than 90 civilians, including 60 children. That incident reinvigorated a public debate over civilian casualties and the use of air strikes in populated areas. Further to the visit by my Special Representative for Children and Armed Conflict, a monitoring and reporting mechanism on grave violations against children in situations of armed conflict has been set up in accordance with Security Council resolution 1612 (2005).

VIII. Humanitarian situation

56. The humanitarian situation is worsening. The most pressing problems today are the perilous food security situation, which is affecting as much as one sixth of the population and is caused by the current drought and exacerbated by high global food prices, and the impact of the conflict on humanitarian access. As a consequence of the drought, an estimated 1.2 million children under 5 and 550,000 pregnant and lactating women in 22 provinces are at high risk of severe malnutrition.

57. The Afghanistan joint appeal to address the humanitarian consequences of the rise in food prices, launched in January, received nearly all of the $81.3 million requested with a view to providing a safety net for the 425 000 most vulnerable households. In response to the impending crisis, Vice-President Khalili and the United Nations launched, on 9 July, a second joint emergency appeal to address the high food price and drought crisis. The request was for an additional $404 million to support nearly 2 million people affected by the current conditions, in addition to the 2.6 million people assisted during the previous six months. Resource mobilization for the second appeal has been slow to date; only 32 per cent of the total amount requested has been met. The response is also insufficient to ensure that vulnerable communities have access to water. Lack of such access may lead to the displacement of populations owing to extreme water shortages in certain areas.

58. Access to communities for humanitarian activities continues to be restricted by increasing insecurity; 40 to 50 per cent of the country is inaccessible to United Nations aid activities, which affects service delivery. Attacks on aid convoys occurred mainly along the ring road between Kandahar in the south and Herat in the west and in the central provinces of Ghazni, Wardak and Logar. Efforts to eradicate polio in insurgency-affected areas face a great challenge.

59. Since the beginning of the year, more than 200,000 Afghan refugees have been repatriated, largely from Pakistan. The refugee camp/settlement of Jalozai in the north-western frontier province of Pakistan, which once housed some 100,000 refugees, was closed in May 2008. The vast majority returned to eastern Afghanistan. Many returnee families were further displaced once they were back in Afghanistan, since they were unable to return to their homes owing to the prevailing insecurity, difficult socio-economic conditions or disputes relating to land ownership. Those returnees remain in urgent need of humanitarian assistance. The

Government of Afghanistan and UNHCR have set 19 November 2008 as the date for an international conference on return and reintegration to review the timetable for the return of refugees beyond 2009. It is intended to mobilize support for existing return and reintegration/development activities, as outlined in the sector strategy on refugees, returnees and internally displaced persons of the Afghanistan National Development Strategy.

60. The overall situation with regard to internally displaced persons within Afghanistan has deteriorated. Armed conflict in the southern region, ethnic strife in the areas of Behsud and the potential impact of the drought in areas in the northern (Faryab, Jowsjan and Sar-i-Pul) and western (Badghis and Ghor) parts of the country have resulted in new displacements of thousands of Afghans.

IX. Afghanistan National Development Strategy and the Joint Coordination and Monitoring Board

61. As detailed in my special report (S/2008/434), more than 80 delegations participated in the Paris Conference, which I co-chaired with the Presidents of Afghanistan and France. The Conference saw the launch of the Afghanistan National Development Strategy and resulted in pledges totalling $21.4 billion.

62. The Joint Coordination and Monitoring Board met on 6 July and 9 September 2008 to discuss the implementation of the Strategy and the commitments undertaken in the Paris Declaration. Particular focus was placed on governance, aid effectiveness and the fight against corruption. Following the Paris Conference, the Board accepted a proposal by my Special Representative to streamline its decision-making process by replacing the numerous consultative groups with three standing committees that mirror the three pillars of the Strategy: security; governance, rule of law and human rights; and economic and social development. The aim of that reform effort is to make the Board more focused on implementation, more flexible in the face of a changing environment and more oriented to problem-solving. My Special Representative has also proposed that the capacity of UNAMA to support the Board, provide strategic advice and ensure better donor coordination be increased in the 2009 Mission budget.

63. Following the Paris Conference, UNAMA undertook to enhance the coordination of donor efforts and to strengthen aid effectiveness. Tangible steps include support for the Government in preparing the Afghanistan country chapter of the Survey on Monitoring the Paris Declaration and in developing an aid effectiveness strategy. Collection of data for the Survey is currently under way, targeting bilateral donors, United Nations agencies and programmes and private companies to provide clear indicators for enhancing collaboration and coordination under the Afghanistan National Development Strategy. The Government of Afghanistan has also undertaken a study on the local economic impact of international development assistance in Afghanistan and on progress towards achieving commitments outlined in the Afghanistan Compact with regard to the use of local resources in development.

X. Mission operations and support

64. The Mission is currently preparing to open new provincial offices, further strengthening the good offices and outreach capability offered by its existing 17 field offices.

65. As I noted in my special report, UNAMA will need to strengthen its capacity in a number of key areas in order to be able to meet priorities identified in its mandate and at the Paris Conference. Significant staffing increases, some structural changes and an increase in essential security-related equipment will all be detailed in the upcoming UNAMA budget proposal to the General Assembly.

66. While vacancy rates and staff retention continue to present challenges within the prevailing Mission security environment, a concerted effort to reduce vacancy rates has made progress. The introduction of a special allowance represents a significant contribution to supporting recruitment and retention of staff, and consideration should be given to extending it to include United Nations Volunteers working with UNAMA.

XI. Observations

67. **The present report presents a mixed picture of the situation in Afghanistan. Regardless of the progress made in certain areas, my overall impression is that the situation in the country has deteriorated over the past six months. Nevertheless, I strongly believe that the negative trend can be reversed. The Paris Conference in June provided an agenda and a road map. Our joint challenge now is to implement the commitments undertaken at the Conference.**

68. **Ultimately, success will depend on our ability to bring about a "political surge" that musters the political determination to address those areas in which international and Afghan efforts have been insufficient, and to accelerate progress where gains have been made. Afghan people throughout the country must be able to see and experience more concrete results of and benefits from the assistance that they hear has been pledged to their country. They must see that corruption is being punished and competence rewarded. Civilians must be protected, not only from terrorism and insurgency, but also from unintended consequences of pro-Government military operations. They must be given a stronger sense of confidence in the international community, both civilian and military, and especially in their own Government.**

69. **I am convinced that, in order to achieve that end, a change of pace and direction is required. It is obvious that many of the commitments undertaken in Paris cannot be implemented in the short term. Nonetheless, every party to the Paris Conference must do its utmost to implement the commitments made there as expeditiously as possible. It is essential that the people of Afghanistan begin to see quickly and clearly that we have embarked on a new course and that it will produce results.**

70. **The Paris agenda is clear. It represents a major commitment to implementing and fully supporting the Afghanistan National Development Strategy with a view to addressing critical priorities, such as building strong and trustworthy institutions and increasing agricultural production and energy output. It is, above all, a joint commitment by the international community and**

the Government of Afghanistan to improving aid effectiveness and combating corruption.

71. **The United Nations and my Special Representative for Afghanistan, Kai Eide, have called repeatedly for immediate steps to be taken to start the process of implementing those commitments. The sense of urgency has been underlined repeatedly. Three months after the Paris Conference, we must all demonstrate that we are willing to honour those commitments.**

72. **My Special Representative has been given the task of coordinating the international community in its relationship with the Government of Afghanistan. The success of his mandate ultimately depends on the readiness of all stakeholders to be coordinated and to ensure that their policies are in accordance with the Paris commitments. If that readiness is not clearly expressed, UNAMA and my Special Representative will not be able to succeed.**

73. **On that basis, I consider it essential to emphasize that, while the Paris Conference was an important event, it must be seen as more than just an event. It must be used as an instrument to reverse negative trends, to inspire the Afghan public and to further inspire the confidence of the global community of friends of Afghanistan. In Paris, a number of speakers underlined the sense of urgency. That sense of urgency must now be translated from words into deeds.**

74. **I would like to thank my Special Representative for his tireless work since taking up his position in March, and express my gratitude to all of the Mission's personnel for their commitment and perseverance. I appreciate their fortitude in operating under difficult circumstances and in such a challenging environment. I should also like to thank all of the Mission's partners, including the United Nations country team, as well as humanitarian agencies, Member States and other international organizations for the support that they continue to lend to UNAMA in its work.**